

APPELLANT'S NOTICE OF APPEAL  
Application No. 10/799,820  
Paper Dated Feb. 24, 2006  
Reply to Final Office Action of Oct. 24, 2005  
Attorney Docket No. 4316-043718

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/799,820 Confirmation No. : 8364  
Applicant : Marc Joseph Thomas Lebert  
Filed : March 12, 2004  
Title : **EXERCISE DEVICE AND SYSTEM**  
Art Unit : 3764  
Examiner : Fenn C. Mathew  
Customer No. : 28289

Mail Stop AF  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated October 24, 2005 of the Primary Examiner finally rejecting claims 1-28.

A check in the amount of \$250.00 is enclosed herewith to cover the cost of filing the Notice of Appeal. A one-month Petition for Extension of Time with the appropriate extension fee is submitted concurrently herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on Feb. 24, 2006.

Lisa R. McNary

(Typed Name of Person Mailing Paper)

*Lisa R. McNary* 02/24/2006  
Signature Date

{W0247802.1}

02/28/2006 WABDELRI 00000036 10799820 250.00 OP  
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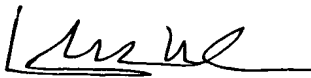
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The Commissioner for Patents is hereby authorized to charge any additional fees which may be required to Deposit Account No. 23-0650 or credit any overpayment to Deposit Account No. 23-0650. The original and two copies of this Notice of Appeal are enclosed.

Respectfully submitted,

THE WEBB LAW FIRM

By 

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